

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KIER KEAND'E GARDNER,

Plaintiff,

v.

WHATCOM COUNTY, et al.,

Defendants.

Case No. C19-1451-MJP-MLP

ORDER RE: PLAINTIFF'S MOTION  
TO FILE AN OVER-LENGTH BRIEF

This is a 42 U.S.C. § 1983 prisoner civil rights action. Currently pending before the Court is Plaintiff's Motion to File an Over-Length Brief pursuant to Local Rule 7(f) ("Plaintiff's Motion"). (Dkt. # 38.) Plaintiff requests that the Court grant Plaintiff leave to file a 32-page response brief to Defendants' Motion for Summary Judgment ("Defendants' Motion), which is in excess of the 24-page limit established by Local Rule 7(e)(3) for a response to a motion for summary judgment. (*Id.* at 1-2.) Plaintiff argues that leave is warranted because Plaintiff must handwrite his brief, Plaintiff does not have access to a typewriter, and Defendants' Motion presents complex issues. (*Id.*)

Plaintiff's Motion was noted by Plaintiff to be heard on June 12, 2020. (*See* Dkt. # 38.) However, pursuant to Local Rule 7(d)(1), motions to file an over-length brief are to be noted on

1 the same day they are filed. Accordingly, having reviewed Plaintiff's Motion, the balance of the  
2 record, and finding good cause, the Court hereby ORDERS:

3 (1) Plaintiff's Motion (dkt. # 38) is GRANTED. Plaintiff is granted leave to file an  
4 over-length response brief with an additional eight (8) pages, for a total of 32 pages. Pursuant to  
5 Local Rule 7(f)(4), Defendants are permitted to file a reply brief with an additional four (4)  
6 pages, for a total of 16 pages.

7 (2) The Clerk is directed to send copies of this order to the parties and to the  
8 Honorable Marsha J. Pechman.

9 Dated this 2nd day of May, 2020.

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11 MICHELLE L. PETERSON  
12 United States Magistrate Judge  
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